IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O. O. C. J.

WRIT PETITION NO.3118 OF 2006

Jetair Group of Companies
Employees Union, Mumbai. ...Petitioner.
Vs.
Jetair Tours Pvt. Ltd. & Ors. ...Respondents.
....
Mr. J. P. Cama with Mr. Arshad Shaikh for the Petitioner.
Mr. Jajendra Gawda with Mr. C. M. Mehta, Mr. Krinal Gadia with Mr. B. Das i/b. Gagrats for the Respondents.
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CORAM : DR.D.Y.CHANDRACHUD, J.

December 18, 2006.

P.C.

The Industrial Court by its order dated 18th October 2006 rejected an application for the grant of interim relief. While doing so, the Industrial Court has made certain observations in regard to whether the appropriate Government in respect of the Respondent Company is the State or the Central Government. The Industrial Court has noted that in an earlier complaint, Complaint (ULP) 927 of 1995, the Industrial Court held that the appropriate Government was the Central Government. Inasmuch as the observations contained in the impugned order of the Industrial Court are confined to the disposal of the application for the grant of interim

relief, it is not necessary for the Court to express any final view on the correctness of the observations contained in the impugned order of the Industrial Court since the main complaint is pending. The Industrial Court shall dispose of the complaint, without considering itself to be bound by any of the observations contained in the impugned order which are confined to the disposal of the application for interim relief. In so far as the effect of the earlier decision in Complaint (ULP) 927 of 1995 is concerned, it would be open to the parties to urge their respective contentions before the Industrial Court. No interference at the interlocutory stage is warranted. The Petition is dismissed.

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